

Town Board Minutes

August 4, 2014

Meeting No. 22

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 4th day of August 2014 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: DONNA STEMPIAK, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
JEFFREY SIMME, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
TERRENCE MCCracken, GENERAL CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

AT 7:51 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER AQUINO AND CARRIED, the Town Board entered into Executive Session to deliberate on a contractual matter.

At 8:25 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matter:

- Change Orders for Public Safety Building.

Chowaniec, Lee, spoke to the Town Board on the following matter:

- Concerns regarding environmental impacts associated with the proposed rezone of property on Harris Hill Road.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Minutes of meeting of July 21, 2014. He is an opponent of the rezone of property on Harris Hill Road.
- Comments regarding rezone on Harris Hill Road.
- Punch list items on the Public Safety Building.
- Bollards at the Public Safety Building.
- Streets within Hidden Pines Subdivision.
- Licensing of cats and raccoons.
- New vehicle purchase for Building Department.
- Error on Resolution #5.
- Wants Town Code to state requirements for compaction of Town roads.
- Appraisal of Town property for purposes of deeming it surplus.

Herbeck, David, spoke to the Town Board on the following matter:

- Rezone of property located on Genesee Street concerns about flooding.

Sugg, Robert, spoke to the Town Board on the following matter:

- Keysa Park baseballs hit into his yard. They are doing damage to his property and vehicles.

Symer, Donald, spoke to the Town Board on the following matter:

- Rezone of property on Harris Hill Road. Would like to know who is the owner of contiguous property.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held July 21, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT	
SUPERVISOR FUDOLI	VOTED	YES

August 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 36468 to Claim No. 36657 Inclusive

Total amount hereby authorized to be paid: \$693,648.00

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT	
SUPERVISOR FUDOLI	VOTED	YES

August 4, 2014

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
23066		RJF Development JV	38 Middlebury Ln	Er. Dwlg.-Sin.	
23067		RJF Development JV	32 Middlebury Ln	Er. Dwlg.-Sin.	
23068		Daniel Fox	27 Tranquility Trl	Er. Shed	
23069		James & Sandra Kowalski	178 Enchanted Forest S	Er. Pool-In Grnd	
23070		Natale Building Corp	64 Nicholas Ln	Er. Dwlg.-Sin.	
23071		Christopher Czechowicz	113 Brunck Rd	Er. Fence	
23072		Onofrio Targia	3 Jonquille Ct	Er. Shed	
23073		TNT Customs Decks	90 Country Pl	Er. Deck	
23074		Joseph & Janel Rupp	17 Parkedge Dr	Er. Pool-In Grnd	
23075		Joseph & Janel Rupp	17 Parkedge Dr	Er. Fence	
23076		David Zurawski	17 Juniper Blvd	Er. Fence	
23077		Paul & Karen Young	661 Erie St	Er. Shed	
23078		Harrison Barnes	81 Woodlawn Ave	Er. Porch	(V/L)
23079		Schuster Construction LLC	267 Lake Ave	Re-Roof	(V/L)
23080		Daniel & Peggy Gardinier	25 Wilkshire Pl	Re-Roof	(V/L)
23081		Michael & Marie Keane	80 Old Post Rd	Er. Shed	
23082		Lawrence Duewiger	16 Ravenwood Dr	Re-Roof	
23083		Sahlems Roofing and Siding Inc	387 Schwartz Rd	Re-Roof	
23084		Advance Care Vets	5915 Broadway	Re-Roof	
23085		Transit French Associates	4779 Transit Rd	Er. Sign - Temp	
23086		Mark & Denise Szymusiak	5671 Broadway	Er. Sign - Temp	
23087		Kyle Daving	41 Wainwright Ct	Er. Fence	
23088		Roxanne Weber	52 Lombardy St	Er. Deck	(V/L)
23089		Christopher Leczynski	61 Michael Anthony Ln	Re-Roof	
23090		Elaine Wyzkowski	1148 Penora St	Re-Roof	
23091		Mark & Lynn Thompson	38 Woodgate Dr	Re-Roof	
23092		Michael & Debra Vertoske	12 Village View	Er. Res. Alt.	
23093		John & Brenda Antoszek	32 Woodgate Dr	Er. Deck	
23094		Jennifer Compo & Lipski	20 Vandenberg Ave	Er. Fence	(V/L)
23095		Keith Keene	80 Brunswick Rd	Er. Pool-Abv Grnd	(V/L)
23096		Steven Sebo	17 Pelham Rd	Er. Deck	
23097		Jeffrey Fyda	116 Newberry Ln	Re-Roof	
23098		Kenneth & Amarlys Trometer	48 Hedge Ln	Re-Roof	
23099		Kenneth & Amarlys Trometer	48 Hedge Ln	Re-Roof	
23100		Jamie Loos	660 Townline Rd	Er. Res. Alt.	
23101		Donald Hayes	133 Central Ave	Er. Garage	(V/L)
23102		Cathy Pudlewski	26 Kent Pl	Er. Deck	
23103		Schuster Construction LLC	10 Redlein Dr	Re-Roof	
23104		Schuster Construction LLC	16 Old Schoolhouse Rd	Er. Res. Add.	
23105		Sylvia Kropski	17 Old Schoolhouse Rd	Re-Roof	
23106		Mark Hutchings	87 Pheasant Run Ln	Er. Shed	
23107		5123 Transit LLC	5067 Transit Rd	Dem. Sin. Dwlg	
23108		Rachel & Raymond Mandel	1 Farmingdale Ct	Er. Fence	
23110		Natalina Zirilli	11 Irwinwood Rd	Re-Roof	(V/L)
23111		Kenneth J Sielski	59 Trentwood Trl N	Er. Res. Add.	
23112		Marano/Marc Equity Corp.	48 Newberry Ln	Er. Dwlg.-Sin.	
23113		Premier Fence Inc.	66 Middlebury Ln	Er. Fence	
23114		Besroi Construction	39 Woodgate Dr	Re-Roof	
23115		Raymond & Mary Hammer	35 Newell Ave	Er. Fence	(V/L)
23116		Robert Maynard	81 Grant St	Er. Fence	(V/L)
23117		RJF Development JV	40 Middlebury Ln	Er. Dwlg.-Sin.	

23118	Lindsay Rupp	126 Albert Dr	Er. Fence	(V/L)
23119	Rick & Pam Robinson	5144 William St	Er. Dwlg.-Sin.	
23120	Timothy Carney	44 Lombardy St	Er. Deck	(V/L)
23121	Gerald & Rebecca Landahl	31 Summerfield Dr	Re-Roof	
23122	Kenneth & Sharon Pezdek	4905 William St	Re-Roof	
23123	Jean Ball	35 Middlebury Ln	Er. Deck	
23124	Salvatores Properties LLC	6675 Transit Rd	Er. Comm. Bldg.	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT	
SUPERVISOR FUDOLI	VOTED	YES

August 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Twin District Volunteer Fire Company, Inc., by letter
dated July 15, 2014, has requested the addition of the following member to the roster of said
fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the addition to the membership of the Twin District Volunteer Fire Company the following
individual:

ADDITION:

James P. Sullivan
Lancaster, NY

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT	
SUPERVISOR FUDOLI	VOTED	YES

August 4, 2014

File: RFIRE (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Hidden Pines Subdivision, Phase II, within the Town of Lancaster, and

WHEREAS, the Town Engineer by letter to the Town Clerk dated July 28, 2014 has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated July 29, 2014, has reported his favorable review for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that completed Public Improvements No. 715 - Storm Sewer and No. 716 – Pavement & Curb and No. 717 –Water Line, within Hidden Pines Subdivision, Phase II, be and are hereby approved and accepted by the Town Board of the Town of Lancaster:
and,

BE IT FURTHER

RESOLVED, that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional fire hydrants authorized for this subdivision with the next billing cycle, and

BE IT FURTHER

RESOLVED, that the Town Attorney is directed to attend to filing the deed causing the dedication of the road(s) to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT	
SUPERVISOR FUDOLI	VOTED	YES

August 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Industrial Power and Lighting Corporation, 701 Seneca Street, Suite 500, Buffalo, New York 14210, the contractor for providing Electrical Construction for the new Police and Court Building (Public Safety Building), has submitted Change Order No. E-1 in the deduct amount of \$977.95 to the Town Board for their approval, based on the descriptions of back-charged work provided to the Town Board;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. E-1 to Industrial Power and Lighting Corporation with respect to the outlined descriptions previously provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. E-1:

Deduction of compensation for back-charged work within the building.

CHANGE ORDER NO. E-1:

The original Contract Sum was	\$828,800.00
The Contract Sum will be decreased by this Change Order in the amount of....	\$ 977.95
The new Contract Sum decreased including this Change Order will be	\$827,822.05

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR FUDOLI	VOTED YES

August 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, Greater Niagara Mechanical, Inc., 7311 Ward Road, North Tonawanda, New York 14120, the contractor for providing Mechanical Construction for the new Police and Court Building (Public Safety Building), has submitted Change Order No. M-1 in the deduct amount of \$1,833.56 to the Town Board for their approval, based on the descriptions of back-charged work provided to the Town Board;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. M-1 to Greater Niagara Mechanical, Inc., with respect to the outlined descriptions previously provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. M-1:

Deduction of compensation for back-charged work within the building.

CHANGE ORDER NO. M-1:

The original Contract Sum was	\$892,000.00
The Contract Sum will be decreased by this Change Order in the amount of....	\$ 1,833.56
The new Contract Sum decreased including this Change Order will be	\$890,166.44

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR FUDOLI	VOTED YES

August 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the New York State Department of Environmental Conservation (“D.E.C.”) has granted at least 10 permits to allow Quasar Energy Group to spread “Equate”, a material derived from sewage, to be spread on agricultural land within Niagara County, and

WHEREAS, the New York State Department of Environmental Conservation (“D.E.C.”) is considering granting permits in Erie and Wyoming Counties, and

WHEREAS, various town governments have expressed concerns about Equate being used within their jurisdictions, and

WHEREAS, many members of the agricultural community have expressed concerns about Equate and their ability to bring produce to market, and

WHEREAS, many residents have expressed concerns about the impact of the product on the health of children, pets and themselves, and

WHEREAS, the Honorable George D. Maziarz and the Honorable John L. Ceretto did, on the 8th of April 2014, jointly requested that the D.E.C revoke any permits issued to Quasar Energy Group and its subsidiaries allowing for the spreading of Equate at sites in Western New York, and

WHEREAS, the Town of Lancaster shares the concerns expressed by a great number of residents and believes the more prudent course for Equate is to allow further investigation of claims made by Quasar regarding the safety of this product;

NOW THEREFORE BE IT

RESOLVED, the Town Board of the Town of Lancaster hereby adds its Endorsement to the April 8, 2014 letter from Senator Maziarz and Member of the Assembly Ceretto to Commissioner Joseph Martens of the D.E.C.;

BE IT FURTHER

RESOLVED, the Town Board of the Town of Lancaster urges the New York State Department of Environmental Conservation to Revoke/Deny any permit granted or under consideration to Quasar Energy Group allowing “Equate”, a material derived from sewage, to be spread on farmland within Erie, Wyoming or Niagara Counties;

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Vice President Pro Tem George Maziarz, Senate Temporary President Dean D. Skelos, Senate Deputy Majority Leader Thomas W. Libous, Speaker of the Assembly Sheldon Silver, Assembly Majority Leader Joseph Morelle, Assembly Minority Leader Brian M. Kolb, the entire WNY State Delegation, NYS D.E.C. and all others deemed necessary and proper.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR FUDOLI	VOTED YES

August 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by letter dated July 17, 2014, has requested the appointment of four (4) Assistant Dog Control Officers, part-time temporary seasonal to work in the Dog Control Office, to conduct a Town-wide dog census.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the position of Assistant Dog Control Officer, part-time temporary seasonal, for a period not to exceed five (5) months, in the Dog Control Office, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary seasonal employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>	<u>EFFECTIVE DATE</u>
Kaitlyn Aquino Lancaster, NY	\$8.00	July 22, 2014
Peggy Czapla Lancaster, NY	\$8.00	July 22, 2014
Michael Dohn Lancaster, NY	\$8.00	July 22, 2014
Amber Wodowski Lancaster, NY	\$8.00	July 22, 2014

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	ABSTAINED *
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR FUDOLI	VOTED YES

* Council Member Aquino’s daughter is an appointee.

August 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated July 27, 2014, has recommended the appointment of one (1) individual to the position of Tutor, part-time temporary seasonal, to work at the Youth Bureau.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and is hereby appointed to the position of Tutor, part-time temporary seasonal, for a period not to exceed five (5) months at the Youth Bureau effective August 4, 2014, and that this being a part-time position provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>
Bradley Beiter (new hire) Hamburg, NY	\$15.00

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT	
SUPERVISOR FUDOLI	VOTED	YES

August 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Jeffrey Simme, Supervising Code Enforcement Officer of the Town of Lancaster by letter dated July 24, 2014 has requested the purchase of one (1) new and unused **2014 Chevrolet Equinox AWD LS** for the use of the Building Department, and

WHEREAS, the above-referenced vehicle is available from the Chautauqua County Department of Purchasing, Bid Reference No. E-12-13PFTH, through authorized bid dealer Joe Basil Chevrolet, Inc., which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Building Department will be trading in a 2003 Chevrolet Blazer, VIN# 1GNDDT13X83K160022 for an allowance of \$1,200.00, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of said **Chevrolet Equinox AWD LS**;

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Lancaster hereby approves the purchase of one (1) new and unused **2014 Chevrolet Equinox AWD LS** from the 2014 authorized Chautauqua County bid contractor Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043 under State Bid Reference No. E-12-13PFTH, as proposed by the Code Enforcement Officer of the Town of Lancaster in the sum not to exceed the state contract price of \$24,013.00 minus the trade-in allowance of \$1,200.00 which brings the total expenditure sum to \$22,813.00 which shall be paid for with funds available from the 2014 Building Department’s Budget Line Item 02-3620 0220 (Passenger Vehicles) .

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR FUDOLI	VOTED YES

August 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has expressed interest in deeming the currently Town-owned property located at 0 Broadway (SBL116.00-1-8.2) within the Town of Lancaster, as surplus property, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest that an appraisal be obtained for proper valuation of said property, and

WHEREAS, **Emminger Newton Pigeon Magyar, Inc.**, of 950-A Union Road, Suite 213, Buffalo, New York 14224, a duly qualified appraisal firm, has submitted a quote to provide an appraisal for the Town-owned property located at 0 Broadway (SBL116.00-1-8.2), for the sum not to exceed \$1,500.00.

**NOW, THEREFORE, BE IT
RESOLVED**, that Town Board of the Town of Lancaster hereby allows **Emminger Newton Pigeon Magyar, Inc.**, to be retained by the Town of Lancaster to provide an appraisal of the Town-owned property located at 0 Broadway (SBL116.00-1-8.2) within the Town of Lancaster at a cost not to exceed \$1,500.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR FUDOLI	VOTED YES

August 4, 2014

COMMUNICATIONS & REPORTS

- 446. Twin District Volunteer Fire Co. to Town Clerk –
Request for change in roster. Disposition = Resolution 8/4/14**
- 447. Highway Superintendent to Town Board –
Request for information regarding status of bid process for replacement of existing heaters in the Highway Garage. Disposition = Received & Filed**
- 448. Supervising Code Enforcement Officer to Supervisor =
Information regarding roof permits for towns and villages in Erie County.
Disposition = Received & Filed**
- 449. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –
Draft minutes from July 16, 2014 Planning Board meeting.
Disposition = Planning Committee**
- 450. Planning Board to Town Board –
Recommend approval of sketch plan for Hidden Meadow Subdivision, 647 Aurora Street, Proj. #4006; comments noted. Disposition = Planning Committee**
- 451. Planning Board to Town Board –
Recommend approval of site plan for Advantage Fitness, 6161 Broadway, Proj. #4071; condition noted. Disposition = For Resolution**
- 452. Planning Board to Town Board –
Recommend approval of sketch plan for Summerfield Farms, Part 7, William Street, Proj. #3041; comments noted. Disposition = For Resolution**
- 453. Planning Board to Town Board –
Recommend approval of rezone petition for Fairway Hills Development, LLC, 0 & 5425 William Street; condition noted. Disposition = For Resolution**
- 454. Supervisor to Town Attorney –
Request for resolution for vehicle purchase for Building Department.
Disposition = Resolution 8/4/14**
- 455. Town Engineer to Town Board –
Recommend acceptance by the Town of P.I.P. #715 for Phase 2 storm sewers, P.I.P. #716 for Phase 2 pavement and curbs, and P.I.P. #717 for Phase 2 water line for Hidden Pines Subdivision, Phase 2. Disposition = Resolution 8/4/14**
- 456. Village of Lancaster to Town Board –
Minutes from regular meeting held on July 14, 2014.
Disposition = Received & Filed**
- 457. Highway Superintendent to Supervisor –
Notice of appointment of Corey Shelton to the position of Laborer Grade #1 in the Town Highway Department effective August 4, 2014.
Disposition = Received & Filed**
- 458. Executive Director, Youth Bureau to Supervisor and Town Board –
Recommendation of one individual for the position of tutor in the Youth Bureau's Summer Reinforcement & Enrichment Program effective August 4, 2014.
Disposition = Resolution 8/4/14**
- 459. Supervisor to Lisa Mirand –
Response to comments regarding posting of "No Parking" signs on a portion of Greenmeadow Drive in the Town of Lancaster. Disposition = Received & Filed**

460. Supervisor to Richard Walczak –
Response to letter regarding Town-wide dog census.
Disposition = Received & Filed
461. Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector, Town Engineer and Town Clerk –
Notice of SEQR meeting regarding Rezone: Harris Hill Senior Housing, 375 & 391 Harris Hill Road; R-1 to MRF-4 and Site Plan: Advantage Fitness, 6161 Broadway (Proj. #4071) on August 4, 2014 at 6:00PM. Disposition = Planning Committee
462. Town Clerk to Various News Media –
Notice of SEQR meeting regarding Rezone: Harris Hill Senior Housing, 375 & 391 Harris Hill Road; R-1 to MRF-4 and Site Plan: Advantage Fitness, 6161 Broadway (Proj. #4071) on August 4, 2014 at 6:00PM. Disposition = Planning Committee
463. Supervisor to Town Board –
Recommend appointment of four individuals for the position of Assistant Dog Control Officer, part-time temporary seasonal. Disposition = Resolution 8/4/14
464. Brittany Jahreis to Supervisor –
Letter of resignation from position as summer tutor at the Lancaster Youth Bureau effective August 1, 2014. Disposition = Received & Filed
465. Town Attorney to Town Clerk –
Transmittal of Maintenance Bonds for storm sewer, pavement and curb and water line improvements within Hidden Pines – Phase 2 Subdivision, and request for resolution accepting P.I.P. No. 715 (Storm Sewer), P.I.P. No.716 (Pavement and Curb) and P.I.P. No. 717 (Water Line). Disposition = Received & Filed
466. General Crew Chief to Planning Board Chair, Planning Board, Council Member Abraham, Council Member Ruffino, Council Member Stempniak --
No issues with Sketch Plan for Summerfield Farms, Part 7, William Street, Proj. #3041, as long as storm water retention ponds are privately owned.
Disposition = Planning Committee
467. General Crew Chief to Planning Board Chair, Planning Board, Council Member Abraham, Council Member Ruffino, Council Member Stempniak --
No issues with Application for Site Plan for Advantage Fitness, 6161 Broadway, Proj. #4071. Disposition = Planning Committee
468. General Crew Chief to Planning Board Chair, Planning Board, Council Member Abraham, Council Member Ruffino, Council Member Stempniak --
No issues with Rezone Petition for 0 & 5425 William Street.
Disposition = Received & Filed
469. General Crew Chief to Planning Board Chair, Planning Board, Council Member Abraham, Council Member Ruffino, Council Member Stempniak --
No issues with sketch plan for Hidden Meadow Subdivision, 657 Aurora Street, Proj. #4006. Disposition = Received & Filed
470. Town Clerk to David Hawk –
Notice of expiration of Special Use Permit for 255 Peppermint Road.
Disposition = Received & Filed
471. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned in
memory of Amber Lynn Vohwinkel at 8:25 P.M.

Signed _____
Johanna M. Coleman, Town Clerk